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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/724,598 | 12/01/2003 | Francis Blanche | 03806-0050-02000 |

CONFIRMATION NO. 8180

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

FORMALITIES LETTER



OC000000013487163

Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/09/2004 SDENBOB1 00000041 10724598

| | |
|------------|------------|
| 01 FC:1001 | 790.00 OP |
| 02 FC:1051 | 130.00 OP |
| 03 FC:1201 | 88.00 OP |
| 04 FC:1203 | 300.00 OP |
| 05 FC:1202 | 1818.00 OP |

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes

no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1060 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1960** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1060**
 - \$86 for 1 independent claims over 3.
 - \$684 for 38 total claims over 20.
 - \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

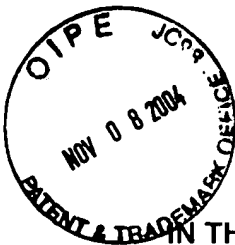
*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
Customer No. 22,852
Attorney Docket No. 3806.0050-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
BLANCHE et al.) Group Art Unit: 1652
)
Application No.: 10/724,598) Examiner: K. Kerr (Prior Appln.)
)
Filed: December 1, 2003) Confirmation No.: 8180
)
For: METHODS FOR INCREASING THE PRODUCTION
OF COBALAMINS USING COB GENE EXPRESSION (As Amended)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed is a reply to the Notice to File Missing Parts of Nonprovisional Application dated August 9, 2004. The items checked below are appropriate:

- ☒ A Petition for Extension of Time is enclosed (1 page). A one-month extension fee of \$110 is enclosed.
- ☒ A Response to Notice to File Missing Parts of Nonprovisional Application (2 pages) is enclosed. The requisite surcharge of \$130 is enclosed. A return copy of the Notice is enclosed.
- ☒ A Supplemental Preliminary Amendment (17 pages), an Abstract (1 page) and a paper copy of a Sequence Listing (66 pages) are enclosed. The claims are calculated below:

| | | | | | | |
|--|------------------|---|-------|--------------|--------|-------------|
| Basic Application Filing Fee | | | | | \$790 | \$ \$790.00 |
| | Number of Claims | | Basic | Extra Claims | | |
| Total Claims | 121 | - | 20 | 101 | x \$18 | \$ 1,818.00 |
| Independent Claims | 4 | - | 3 | 1 | x \$88 | 88.00 |
| <input checked="" type="checkbox"/> Presentation of Multiple Dep. Claim(s) | | | | | +\$300 | 300.00 |
| Subtotal | | | | | | \$ 2,996.00 |
| TOTAL APPLICATION FILING FEE | | | | | | \$ 2,996.00 |

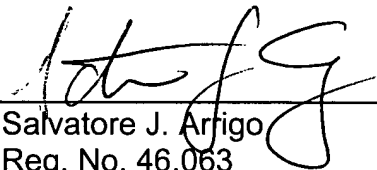
- ☒ A fee of \$2,996.00 to cover the cost of the filing fee and additional claims added by this reply is enclosed.
- ☒ A fee of \$130.00 to cover the surcharge is enclosed.
- ☒ A fee of \$110.00 to cover the one-month extension fee is enclosed.
- ☒ **A check for \$3,236.00 to cover the above fees is enclosed.**
- ☒ A Request for Corrected Filing Receipt (2 pages) is enclosed. A return copy of Notice Regarding Benefit/Priority Claim(s) is enclosed.
- ☒ A Supplemental Information Disclosure Statement (2 pages), PTO Form 1449 (2 pages), and a copy of U.S. Patent No. 6,656,709 B1 are enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

Dated: November 8, 2004

By: _____


Salvatore J. Arrigo
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E-mail: arrigos@finnegan.com



PATENT
Customer No. 22,852
Attorney Docket No. 3806.0050-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
BLANCHE et al.) Group Art Unit: 1652
Application No.: 10/724,598) Examiner: K. Kerr (Prior Appln.)
Filed: December 1, 2003) Confirmation No.: 8180

For: METHODS FOR INCREASING THE PRODUCTION
OF COBALAMINS USING COB GENE EXPRESSION (As Amended)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

In response to the Notice to File Missing Parts of Nonprovisional Application dated August 9, 2004, applicants submit the required filing fee of \$790.00, the requisite surcharge of \$130.00, and a copy of the Notice of Missing Parts. Applicants also submit an Abstract, a Sequence Listing, and Additional Claims Fee, as required by the Notice.

Please associate these fees and the attached papers with the application.

11/09/2004 SDENBOB1 00000041 10724598

06 FC:1251

110.00 OP

Please grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 8, 2004

By: 

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